

JUDGE JONES

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MATTHEW SMITH

SUMMONS IN A CIVIL ACTION

V.

City of New York and Correction Officer "John Doe" (said name being fictitious, as the true name is presently unknown)

CASE NUMBER:

07 CIV 7993

CITY OF N.Y. LAW DEPT.
OFFICE OF COMM. COUNSEL
RECEIVED
OCT 2 PM 10 12

TO: (Name and address of Defendant)

CITY OF NEW YORK
100 CHURCH STREET
NEW YORK, NY 10007

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ARNOLD J. LEVINE, ESQ.
233 BROADWAY, SUITE 901
NEW YORK, NY 10279

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 12 2007

CLERK

DATE

[Signature]
(By) DEPUTY CLERK

MATTHEW SMITH

Plaintiff(s)

Index # 07 CIV 7993

- against -

Purchased September 12, 2007

CITY OF NEW YORK, ETANO

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

ANDERSON CHAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 2, 2007 at 10:12 AM at

100 CHURCH ST., 4TH FL.
 NEW YORK, NY10007

deponent served the within SUMMONS AND COMPLAINT AND DEMAND FOR JURY TRIAL on CITY OF NEW YORK therein named,

CORPORATION a DOMESTIC corporation by delivering thereat a true copy of each to TAMEKIA MENDES-GAMMON, LEGAL CLERK personally, deponent knew said corporation so served to be the corporation described in said SUMMONS AND COMPLAINT AND DEMAND FOR JURY TRIAL as said Defendant and knew said individual to be AUTHORIZED to accept thereof.

Deponent further states that he describes the person actually served as follows:


Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	BROWN	BLACK	26	5'6	130

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: October 2, 2007

JOEL GRABER
 Notary Public, State of New York
 No. 02GR4699723
 Qualified in New York County
 Comm. Expires February 10, 2010

JONATHAN GRABER
 Notary Public, State of New York
 No. 01GR6156780
 Qualified in New York County
 Comm. Expires December 4, 2010


ANDERSON CHAN
 License #: 1220482
 Invoice #: 448837